

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: ZOOM VIDEO COMMUNICATIONS INC. PRIVACY LITIGATION,

Master Case No. 3:20-cv-02155-LB

This Document Relates To:
All Actions

**PROPOSED ORDER GRANTING
MOTION FOR AWARD OF
ATTORNEYS FEES AND INCENTIVE
AWARD TO OBJECTORS SAMMY
RODGERS AND ALVERY NEACE**

On December 16, 2022 the Court approved an amended class settlement in this action based on a settlement agreement between Plaintiffs, Defendant, and objectors Sammy Rodgers, Alverey Neace, and Judith Cohen. ECF 261. The terms of the agreement allowed objectors Rodgers and Neace to each seek a service payment of \$1,000 and for reimbursement of attorney fees and expenses up to \$47,900. ECF 259-3. These incentives, reimbursement of expenses and payment of attorney fees are reasonable and agreed to by class counsel.

The Court has considered the arguments within the Motion for Attorneys' Fees and Incentive Award for Objectors Sammy Rodgers and Alvery Neace pursuant to Fed. R. Cv. Proc. 23(h) and the Declaration of J. Allen Roth including time records. The Court finds that Objectors Sammy Rodgers and Alvery Neace caused an improvement to the administration of the class

1 action including causing a change to the website to enable claimants to easily update their contact
2 information so they may receive their payment. In addition, the settlement administrator will
3 contact claimants if a physical check sent to them is returned to the sender. Checks will
4 automatically be sent to a new address if returned and a database shows the claimant's new
5 address. Finally, checks will be valid for 120 days in case the post office's mail forwarding
6 procedures cause a delay. The Court finds that claimants not receiving or cashing their funds in
7 class actions cases is a serious cause for concern with recent cases having less than half of the
8 payments cashed. These modifications are a first step in addressing this problem.

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10 The Court notes that the attorney fees and expenses, and the objector incentive award, will
11 be paid from funds already designated as attorney fees as agreed by the parties.
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13 Therefore, the Court orders that motion filed by objectors Rodgers and Neace is
14 GRANTED. The Settlement Administrator in this matter is directed to disburse, from attorney
15 fees previously approved, \$1,000 as a service payment to Sammy Rodgers, \$1,000 as a service
16 payment to Alver Neace, and \$47,900 in attorney fees and expenses incurred by the objectors to
17 their legal counsel.

18 IT IS SO ORDERED.
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20 Dated: _____, 2023
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22 Hon. Laurel Beeler
United States Magistrate Judge
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